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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/630,248	08/01/2000	Masaaki Oka	WINX-55325	8369

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FULWIDER PATTON LEE & UTECHT, LLP
HOWARD HUGHES CENTER
6060 CENTER DRIVE
TENTH FLOOR
LOS ANGELES, CA 90045

EXAMINER

WALLACE, SCOTT A

ART UNIT PAPER NUMBER

2672

DATE MAILED: 06/21/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

84

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Office Action Summary

Application No.

09/630,248

Applicant(s)

OKA ET AL.

Examiner

Scott Wallace

Art Unit

2672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 5-23 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1 and 5-23 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: ____

Specification

1. The disclosure is objected to because of the following informalities: Fig. 3 is not mentioned at all in the specification. Page 10, last paragraph, 1st sentence, I think *CPU 15* is supposed to be *GPU 15*. Page 18, 1st paragraph, 4th line, I think *flag 1* is supposed to be *flag L*. Page 31, 1st paragraph, line 1, what is MUX/DMUX 111103a?

Appropriate correction is required.

Double Patenting

2. Claim 1 is rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 6,157,384. Although the conflicting claims are not identical, they are not patentably distinct from each other because the words of the last paragraph are just switched around, but it means the exact same thing. Originally the applicant taught "*supplying means for supplying the texture data to said storage means required by said picture drawing means for texture mapping responsive to said data outputted by said pre-processing means*". Now the applicant is teaching "supplying means for supplying the texture data required by said picture drawing means for texture mapping to said storage means responsive to data outputted by said pre-processing means".

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 5-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ohba, U.S. Patent No. 6,362,827.

5. As per claim 5, Ohba teaches an apparatus comprising: a processor for generating coordinate data specifying a desired primitive (column 4 lines 36-38 and 43-48); a pixel generator for generating pixel data of the desired primitive (column 5 lines 28-42); an accessing unit for accessing a memory and storing the pixel data generated by the pixel generator into the memory according to a pixel pattern (column 6 lines 42-50); and a control circuit for specifying a shape of the pixel pattern according to the coordinate data generated by the processor such that the accessing unit stores the pixel data into the memory (column 6 lines 42-50) with the minimum number of times of accessing the memory (column 6 lines 20-30). Although Ohba does not specifically mention the pixel pattern being optimal, this would have been obvious to one of ordinary skill in the art because the goal of computer systems is to generate the best (optimal) pixel pattern to get the clearest possible image. It was well known that the software that comes with the computer preprograms the computer to change the intensity, color and contrast to achieve optimal image characteristics. Ohba uses a graphics computer (column 1 line 10) and application software (column 4 lines 29-35) which will automatically change these image characteristics to become optimal.

6. As per claim 6, Ohba teaches the control circuit specifies the shape of the optimal pixel pattern by selecting one pixel pattern from a plurality of pixel patterns according to the coordinate data, the plurality of pixel patterns being different in shape from each other and each of the plurality of pixel patterns having the same number of pixels (column 6 lines 42-50).

7. As per claim 7, Ohba teaches the control circuit calculates an aspect ratio of the desired primitive based on the coordinate data and specifies the shape of the optimal pixel pattern according to the aspect ratio (column 5 lines 54-64 and column 6 lines 42-50). Although Ohba does not specifically mention aspect ratio, this would have been obvious to one of ordinary skill in the art, because the applicant uses the aspect ratio which is a height to width ratio of the primitive to find the correct interleaving pattern and Ohba uses the coordinate data of primitives (which gives height and width information) to find interleaving patterns.

8. As per claim 8, Ohba teaches a video game machine comprising the apparatus according to claim 5 (column 4 lines 1-2).

Claim Rejections - 35 USC § 112

9. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

10. Claims 9, 17, 10-16, and 18-23 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The applicant teaches "*a control circuit for specifying a shape of a coordinate pattern which has a given size, according to the coordinate data, for dividing a predetermined coordinate area including the coordinate data in accordance with the coordinate pattern, for detecting at least one coordinate pattern which includes an overlay portion with the desired primitive, and for outputting coordinate pattern information indicating the detected at least one coordinate pattern*". The applicant needs to explain this more clearly and explain this in the specification.

11. Claims 10-16 and 18-23 depend on claims 9 and 17 and therefore they are not clear.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Scott Wallace** whose telephone number is **703-605-5163**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Michael Razavi**, can be reached at 703-305-4713.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

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Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA,
Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be
directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-
0377.



MICHAEL RAZAVI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600